

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

DE'MARIO DRIVER, )  
                        )  
Plaintiff,           )  
                        )  
v.                     ) Civil No. 3:13cv-01087  
                        ) Judge Trauger  
LT. FRANK FABISH, ET AL., )  
                        )  
Defendants.          )

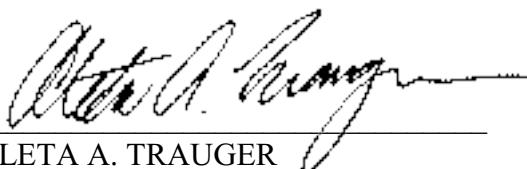
**O R D E R**

On January 31, 2017 the magistrate judge issued a Report and Recommendation (Docket No. 176), to which no timely objections have been filed. The Report and Recommendation is therefore ACCEPTED and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby ORDERED that the Plaintiff's Motion for Default Judgment as to Defendants Michael Ferrish and Jorge Santiago (Docket No. 155) is DENIED without prejudice to refiling after adjudication of the claims pending against all other defendants.

This case is returned to the magistrate judge for further handling under the original referral order.

It is so **ORDERED**.

Enter this 15<sup>th</sup> day of March 2017.

  
ALETA A. TRAUGER  
U.S. District Judge